



**To:**  
Office of Planning and Research  
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**From:**  
Department of Fish and Wildlife  
Northern Region  
619 Second Street  
Eureka, California 95501  
Contact: Angela Liebenberg  
Phone: (707) 741-1265

Lead Agency (if different from above)  
Humboldt County Dept. of Planning and Building  
3015 H Street  
Eureka, CA 95501  
Contact: Steven Lazar  
Phone: (707) 445-7245

**SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code section 21108**

**State Clearinghouse Number:** 2015102005

**Project Title:** Gordon Water Diversion, Impoundments and Stream Crossings Project (Lake or Streambed Alteration Agreement No. 1600-2018-0721-R1)

**Project Location (include county):** The project to be completed is located within the Lower Eel River watershed, approximately 9.6 miles SE of the town of Alderpoint, County of Humboldt, State of California. The project is located in Section 11, T05S, R05E, Humboldt Base and Meridian; in the Jewett Rock U.S. Geological Survey 7.5-minute quadrangle.

**Project Description:** The California Department of Fish and Wildlife has executed Lake and Streambed Alteration Agreement number 1600-2018-0721-R1, pursuant to Section 1602 of the Fish and Game Code to Tina Gordon.

The project is limited to nine encroachments. Encroachment 1 is for water diversion from an unnamed tributary to Chamise Creek. Work for the water diversion will include use and maintenance of the water diversion infrastructure, and any work necessary to bring the diversion into compliance with this Agreement. Encroachments 2-5 are to upgrade undersized culverts. Work for these encroachments will include excavation, removal of the existing culverts, replacement with new appropriately-sized culverts, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion. Encroachment 6 is to decommission an existing stream crossing. Encroachment 7 is to upgrade the outlet of an existing pond. The pond is presented as off-stream, with a stream located downhill, but not connected to the pond. The outlet will drain into a rock-lined channel containing a series of check dams that will allow for water to percolate prior to reaching the stream. Water is diverted from the pond for irrigation and fire protection purposes. Encroachment 8 is for water diversion from an on-stream reservoir. Water is diverted for irrigation purposes. Work for the water diversion will include use and maintenance of the water diversion infrastructure, and work necessary to bring the diversion into compliance with this Agreement. Modification of the season of diversion may be allowable through the onstream reservoir determination process including CDFW and the State Water Resources Control Board, Division of Water Rights (under the State Water Resources Control Board's Cannabis Policy). Encroachment 9 is to decommission an existing on-stream reservoir and restore the stream channel.

This is to advise that CDFW, acting as  the Lead Agency /  a Responsible Agency approved the above-described project and has made the following determinations regarding the project pursuant to California Code of Regulations section 15096, subdivision (i):

1. The project will not have a significant effect on the environment. This determination is limited to effects within CDFW's permitting jurisdiction as a Responsible Agency.
2. A  mitigated negative declaration /  negative declaration was prepared for this project pursuant to the provisions of CEQA.  
CDFW considered the  mitigated negative declaration /  negative declaration prepared by the Lead Agency for this project pursuant to California Code of Regulations section 15096, subdivision (f).
3. Mitigation measures  were /  were not made a condition of CDFW's approval of the project.
4. A mitigation reporting or monitoring plan  was /  was not adopted by CDFW for this project.
5. A Statement of Overriding Considerations was not adopted by CDFW for this project.
6. Findings were not made by CDFW pursuant to Public Resources Code section 21081, subdivision (a).

The  mitigated negative declaration /  negative declaration prepared for the project is available to the general public at the office location listed above for the Lead Agency. CDFW's record related to the Lake or Streambed Alteration Agreement is available to the public for review at CDFW's regional office.

DocuSigned by:  
*Rebecca Garwood*  
B5D12ECE94324AF

12/16/2021

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Rebecca Garwood, Environmental Program Manager

Date Received for filing at OPR: \_\_\_\_\_